

REMARKS

The Office Action mailed on December 19, 2006 has been reviewed. Claims 1-5 were previously canceled. Claims 6-15 have been withdrawn by the Examiner. Claims 16 to 25 are newly added by this response and are the only pending claims. No new matter has been introduced through these amendments.

The Specification has been amended to correct minor errors of which the Applicant has become aware, as requested by the Examiner. No new matter has been introduced through these amendments.

The Applicant thanks the Examiner for indicating that the drawing corrections submitted on November 16, 2006 are accepted.

Information Disclosure Statement

Applicant respectfully requests that a copy of the 1449 form, listing all references that were submitted with the Information Disclosure Statement filed on November 30, 2006 marked as being considered and initialed by the Examiner, be returned with the next official communication.

Election/ Restrictions

The Examiner asserts that claims 6-15, submitted on November 16, 2006 were "directed to an invention that is independent or distinct from the invention originally claimed" because "New claims are directed to a multipoint to point orthogonal frequency division multiplexing communication system, while the original claims claim a head end controller" and for that reason, the Examiner withdrew claims 6-15.

In response, the Applicant respectfully submits new claims 16-25, each directed to a head end controller. The Applicant reserves the right to later file continuations or divisionals having claims directed to non-elected inventions.

Serial No.: 10/043,818

Filing Date: 1/11/2002

Attorney Docket No. 100.070US31

Title: CONTROLLING SERVICE UNITS IN A COMMUNICATION SYSTEM

CONCLUSION

Applicant respectfully submits that claims **16-25** are in condition for allowance and notification to that effect is earnestly requested. If necessary, please charge any additional fees or credit overpayments to Deposit Account No. 502432.

If the Examiner has any questions or concerns regarding this application, please contact the undersigned at the telephone number listed below.

Respectfully submitted,

/David N. Fogg/

Date: January 25, 2007

David N. Fogg
Reg. No. 35138

Attorneys for Applicant
Fogg & Powers LLC
P.O. Box 581339
Minneapolis, MN 55458-1339
T – (612) 332-4720
F – (612) 332-4731